



RCRA Brownfields Prevention Pilots

Outreach and Special Projects Staff (5105)

Quick Reference Fact Sheet

EPA's Brownfields Economic Redevelopment Initiative is designed to empower states, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields. A brownfield is a site, or portion thereof, that has actual or perceived contamination and an active potential for redevelopment or reuse. EPA is funding: assessment demonstration pilot programs (each funded up to \$200,000 over two years, with additional funding provided for greenspace) to assess brownfields sites and to test assessment models and facilitate coordinated assessment and cleanup efforts at the federal, state, tribal, and local levels; job training pilot programs (each funded up to \$200,000 over two years) to provide training for residents of communities affected by brownfields to facilitate cleanup of brownfields sites and prepare trainees for future employment in the environmental field; and cleanup revolving loan fund pilot programs (each funded up to \$1,000,000 over five years) to provide financial assistance for the environmental cleanup of brownfields. These pilot programs are intended to provide EPA, states, tribes, municipalities, and communities with useful information and strategies as they continue to seek new methods to promote a unified approach to site assessment, environmental cleanup, and redevelopment.

Since March 2000, EPA has been launching unfunded RCRA Brownfields Prevention pilot projects to showcase the flexibility in RCRA, and in particular, some of the concepts embodied in RCRA Cleanup Reforms. The goal of this effort is to showcase successes that can help other communities in modeling future innovations for cleanup and redevelopment at RCRA sites. Although these pilots will emphasize flexibility, EPA and the states will continue to ensure protection of human health and the environment.

Note: The discussion of each pilot in this fact sheet is based on information and the opinion expressed in the pilot applications. It should be noted that EPA will determine, in consultation with the appropriate stakeholders for each pilot, the final goals and contours of each pilot as the workplan is developed.

Safety-Kleen: Muskegon Heights, Michigan

The Safety-Kleen facility in Muskegon Heights, Michigan, has been selected as a RCRA Brownfields Prevention Pilot. The City of Muskegon Heights operated a municipal wastewater treatment plant for 50 years at the site until it was leased in 1974 to a hazardous waste treatment company that treated electroplating wastes. The original lessee has been acquired by a series of other companies, the latest being Safety-Kleen. Michigan DEQ issued a closure certification for active units in August 1995, but the site is a low priority for State corrective

action. At the present time, the risks to human health and the environment posed by the site are unknown. The proposed goals of the Pilot are to develop a corrective action strategy between federal, state, and local stakeholders; negotiate a consent agreement for corrective action implementation; and obtain a comfort letter from EPA to help resolve purchaser liability concerns. Michigan is a RCRA-authorized state and has designated a staff person to serve on a RCRA Brownfields Prevention Pilot oversight team. This project will provide one of the first opportunities to apply the voluntary corrective action concepts in the Memorandum of

Understanding (MOU) between Region 5 and the State of Michigan. Another proposed goal is to create a model for other owners and operators of RCRA facilities on how to voluntarily pursue corrective action.

The city has been approached by a developer to purchase the property and construct residential homes and a recreation area. The proposed housing and recreational area are needed to attract middle income families back to this urban community, where the unemployment rate is 10% and the poverty rate is 33%. The city fully supports the redevelopment proposal, and resources for demolition will be leveraged from the state.

SafetyKleen RCRA Brownfields Pilot Contacts:
Melvin Burns, II, Muskegon Heights City Manager—(231) 733-1175
Ann Wentz, EPA Region 5—(312) 886-8097

BP Refinery: Wood River, Illinois

The BP Refinery (formerly BP Amoco Refinery) in Wood River, Illinois, has been selected as a RCRA Brownfields Prevention Pilot. Standard Oil began refining operations on this 600-acre site in 1907. The city has grown around the refinery site, and the downtown business district and residential neighborhoods now surround the site. Since the refinery's closure and dismantling in 1993, the city has lost over \$20 million in assessed value of the property. Two RCRA permits cover the Main Plant area and the Riverfront Property area.

The proposed goal of the Pilot is to develop a cleanup corrective action strategy among federal, state, and local stakeholders. Another goal proposed by the city is to focus on RCRA cleanup and redevelopment of two areas encompassing more than 50 acres located adjacent to the downtown. The city has secured a developer to redevelop these two areas for potential commercial use. In addition, the city proposes involving the community in decisions relating to

cleanup goals and future-use planning.

The city believes that many environmental benefits can be attained with the Pilot: an expedited investigation and cleanup of the site; discouraging sprawl by reusing a viable property with existing infrastructure; and developing long-term mechanisms for monitoring institutional controls. The Pilot will test the implementation of the Memorandum of Understanding between Region 5 and the State of Illinois. The Pilot can be a model for small communities dealing with RCRA corrective actions. The Wood River has been designated an American Heritage River, and the city has been designated a state Enterprise Zone.

BP Refinery RCRA Brownfields Pilot Contacts:
Stacy Pate, Director of Administration, City of Wood River—(618) 251-3100
Ann Wentz, EPA Region 5—(312) 886-8097

Union Carbide Caribe: Infrastructure Financing Authority, Puerto Rico

The Union Carbide Caribe, Inc. (UCCI) facility in Punta Guayanilla, Puerto Rico, has been selected as a RCRA Brownfields Prevention Pilot. The UCCI facility ceased active processing operations in 1985, but continues to be used for bulk storage of petroleum. A RCRA Part B permit was issued in 1988, and a renewal application is in the final stages of agency review. Thirty-six Solid Waste Management Units (SWMUs) primarily used for the disposal of operational wastes and dredged materials have been identified at the facility.

Guayanilla Bay has been identified by the Commonwealth of Puerto Rico Government as a potential site for a deep-draft container transshipment port. According to the Autoridad para el Financiamiento de la Infraestructura de Puerto Rico, also known as the Infrastructure Financial Authority (AFI), the UCCI property

has a great potential for construction of port-related facilities. Unemployment in the area is over 25% and the poverty rate is nearly 66%. Development of the port has the potential to contribute greatly to the Puerto Rican economy and create 5,000 new jobs. AFI believes that development will be facilitated if all RCRA issues have been resolved.

The proposed goals of the Pilot are to finalize a site acquisition plan, overlay the port design onto the existing RCRA permit, determine the fate of each SWMU, structure an Environmental Management System (EMS) for the port, and negotiate a RCRA prospective purchaser agreement. AFI intends to make an EMS-ISO 14000 a requirement for the port developer and future occupants to promote operations that are protective of the environment. AFI will establish an Advisory Committee composed of all stakeholder groups, including residents, to assist in decision making. AFI has obtained the support of the Puerto Rican government, several community and environmental groups in the Guayanilla area, and the facility. AFI plans to investigate the potential for setting aside a marine conservation zone to protect existing habitats. Due to the potential for constructing port facilities at this property, the project is expected to provide a strong economic incentive for fostering the remediation and reuse of other properties in the area.

UCCI RCRA Brownfields Pilot Contacts:

Ramón Amador, AFI—(787) 763-5757

Michael Poetzsch, EPA Region 2—(212) 637-4147

Milt Adams: Commerce City, Colorado

The Milt Adams, Inc. facility in Commerce City, Colorado, is a bankrupt used oil recycling facility. Counsel for the owner asserts that the corporation has been dissolved and that the property is the only asset. Preliminary investigations by the

Region and others have not identified assets of the owner in addition to the property. Therefore, it appears the corporation lacks the financial ability to complete the cleanup. Operations at the site began in the early 1970s and ended in 1998. A CERCLA Preliminary Assessment/ Site Investigation was conducted in 1997, which confirmed that soils are contaminated with petroleum hydrocarbons and other organic contaminants.

Some remediation work has been done at the site, such as removal of some underground tanks, but there are no funds available to do more. A number of Potentially Responsible Parties (PRPs) under CERCLA have been identified. One has offered to participate in the completion of site cleanup and is willing to help develop a creative process for getting results. Counsel for the owner also has agreed to continue helping to move remedial efforts forward. In July 1999, the State of Colorado returned direct implementation for the site to EPA. EPA issued a limited scope RCRA 7003 order in 1999 that addressed site security.

The proposed goals of the Pilot are to initiate an Alternative Dispute Resolution (ADR) process, conclude the site investigation, and scope out remedial requirements and long-term institutional controls. The ADR is proposed to establish RCRA and CERCLA environmental cleanup goals in light of redevelopment plans, and identify the financial sources to support the site cleanup. This approach is supported by the PRPs, EPA, the state, the city, and the facility. Another proposed goal is to develop an approach that can serve as a model for other RCRA cleanups with bankrupt owners.

Developers have expressed interest in the site. Rail and road access are good, and the site probably would be redeveloped quickly after cleanup. Redevelopment will improve the city's tax base and appearance. Of the 8,800 residents

living within one mile of the site, 38% are minority and 20% live in poverty.

Milt Adams RCRA Brownfields Pilot Contacts:

Trish Layton, Deputy City Manager, Commerce City—(303) 289-3629

Jason Melfi, Economic Development Coordinator—(303) 289-3719

Carl Daly, EPA Region 8—(303) 312-6416

working with a Citizen Advisory Panel concerned about the site, several conservation groups concerned about wetlands abutting the site, and local government officials.

P&U RCRA Brownfields Pilot Contacts:

Randy Senger, P & U Company—(616) 833-5341

Bob O'Meara, EPA Region 1—(617) 918-1360

Pharmacia & Upjohn: North Haven, Connecticut

The Pharmacia & Upjohn Company (P&U) facility in North Haven, Connecticut, has been selected as a RCRA Brownfields Prevention Pilot. Specialty chemicals were manufactured at the 78-acre P&U site beginning in the 1940s. The site abuts the Quinnipiac River and its associated wetlands. Manufacturing at the site ceased in December 1993. EPA issued a RCRA 3013 Administrative Order in 1989, and 28 areas of environmental concern subsequently have been identified. EPA issued a RCRA 3008(h) Administrative Order in 1994.

A number of interim measures have been implemented at the facility, including installation of a storm-water containment system, installation of a groundwater recovery and biological treatment system, dredging of Quinnipiac River sediments, decontamination and removal of above-ground structures, and site security. A streamlined risk evaluation (SLRE) recently approved by EPA provides the basis for determining cleanup objectives for the site.

The proposed goal of the Pilot is to enhance stakeholder input on reuse of the site and use the input in the Corrective Measures Study (CMS) phase of the site corrective action. Stakeholder input on local zoning requirements, current wetlands designation, habitat, and public access will be pursued. The plan is to seek public involvement much earlier in the corrective action process than is typically required. P&U is

Summary of the Proposed Pilot Innovations

Safety Kleen and Muskegon Heights:

- Test MOU with the State of Michigan.
- Leverage dollars from the State for demolition.

BP and Wood River:

- Test the MOU with the State of Illinois.
- Serve as a model for ecological restoration.
- Foster RCRA cleanup and future reuse and redevelopment of the property.

UCCI-Puerto Rico Infrastructure Financing Authority:

- Create a model RCRA Prospective Purchaser Agreement.
- Establish a stakeholder Advisory Committee.
- Carve out a parcel of the site to foster quick redevelopment.
- Test the use of an EMS which is ISO 14000 compliant as a tool that fosters good environmental stewardship of the property by developers and owners/operators at the site.
- Showcase management of SWMUs in a manner that will allow them to be addressed under a new owner who will redevelop the site.

Milt Adams, Inc. and Commerce City:

- Create a model for dealing with bankrupt sites.
- Use multiple authorities under RCRA and

CERCLA.

- Showcase an ADR process to arrive at a cleanup agreement between the owner and other PRPs.

Pharmacia & Upjohn Company and North Haven:

- Showcase enhanced measures for connecting communities to RCRA cleanups and future uses of the site.
- Showcase front-end public involvement in the corrective action process.

FOR MORE INFORMATION

For more information on EPA's Corrective Action Reforms, please visit the RCRA corrective action web site at <http://www.epa.gov/correctiveaction>. For more information about the RCRA Brownfields Initiative pilots and other brownfields program initiatives please visit the brownfields program web site at <http://www.epa.gov/brownfields>.